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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fergus Rupert FITZGERALD

Serial No.: 09/872,906

Filing Date: June 1, 2001

For: TANK LINING

RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION UNDER 37 C.F.R. §1.53(b)

Box Missing Parts
Assistant Commissioner of Patents
Washington, D.C. 20231

Attention: APPLICATION BRANCH
MISSING PARTS OF APPLICATION

Sir:

With respect to the above-identified patent application, the following are filed herewith in response to the Notice to File Missing Parts of Nonprovisional Application under 37 C.F.R. §1.53(b), mailed August 2, 2001, copy attached.

- Declaration in compliance with 37 C.F.R. §1.63.
- Small Entity Declaration under 37 C.F.R. §§1.9 and 1.27.
- Certified copy of Irish (IE) Application No. 980996, filed December 1, 1998, the priority of which is claimed under 35 U.S.C. §119.
- Assignment Document and cover letter, with \$40.00 fee for recordation of Assignment.
- If a Petition for Extension of time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge and fees necessary under 37 CFR 1.17 (a) - (d) to Deposit Account No. 06-1358. The Commissioner is also authorized to charge payment of any other additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1358.

#4

Serial No.: 09/872,906

X Filing Fee, calculated as follows:

	<u>Small Entity</u>	<u>Large Entity</u>	
Basic Filing Fee	\$355.00	\$710.00	355.00
Total Claims <u>33</u> - 20 = <u>13</u>	(x \$9) =	(x \$18) =	117.00
Indep. Claims <u>1</u> - 3 = <u>0</u>	(x \$40) =	(x \$80) =	.00
<u>X</u> Surcharge: Late Filing	+ \$65	+ \$130	65.00
			+
		TOTAL FILING FEES \$	537.00

The filing fee owed is \$537.00 and fee for filing Assignment document is \$40.00, which together totals \$577.00. However, it will be noted that the PTO already debited Counsel's Deposit Account (copy attached) on June 7, 2001, in the amounts of \$710.00 and 234.00, which together totals \$944.00.

Therefore, no fees are submitted concurrently herewith and a REFUND in the amount of \$367.00 is respectfully requested.

The Commissioner is hereby authorized to debit or credit any fees set forth in §1.16 or §1.17 to Deposit Account No. 06-1358 as needed in order to effect proper filing of the application. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By _____

John C. Holman
Reg. No. 22,769

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Atty. Docket No.: P66736US0



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/872,906	06/01/2001	Fergus Rupert Fitzgerald	P66736US0

CONFIRMATION NO. 5114
FORMALITIES LETTER



OC0000000637782

JACOBSON HOLMAN
PROFESSIONAL LIMITED LIABILITY COMPANY
400 SEVENTH STREET, N. W.
WASHINGTON, DC 20004

Date Mailed: 08/02/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

H.T

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

COPY